

### Summary of telephone Interview

September 16, 2009

The following persons participated in the telephone interview with Examiner Dr. Brandon Fetterolf as representatives of the inventors for Patent Application Serial No. 10/768996 :

Suresh C. Srivastava – First Named inventor; Indu M. Anand – Attorney of Record; and, Attorney Ramasamy M. Mannan.

The interview was requested by the inventors to clarify and resolve some questions before filing the response to the office action mailed on July 20, 2009.

The inventor and the representatives explained that the invention represented a major advance over prior art of selectively killing cancer cells by combining the use of known cancer-killing nucleoside antimetabolites with the art-recognized use of CpG moieties for immuno-stimulation in the synthesis of oligonucleotides. The efficacy of this approach was borne out by the results for colon cancer disclosed in the application as filed; it was further shown that the method is capable of extrapolation to other cancers by appropriate choice of nucleoside antimetabolites and of the oligonucleotide sequences while maintaining the disclosed use of CpG moieties.

Although the use of CpG moieties for immuno-stimulation in the synthesis of oligonucleotides is well known in the art, this invention is the first to propose, and to demonstrate the effectiveness of, the use of a nucleoside antimetabolite covalently linked to an oligonucleotide with CpG motifs for selectively killing cancerous cells over non-cancerous cells.

A representative list of possible nucleoside antimetabolites is in the original disclosure, along with the requirements for different nucleotide sequences for illustrations listed therein.

Examiner Fetterolf agreed with the explanation of the significance of the invention, viz., the functional component in the cancer-killing property of the oligonucleotides synthesized by the method of this invention is based on the nucleoside antimetabolite employed and not on the use of CpG moieties, whose properties are known in the art.

Examiner also suggested replacing the word “prodrug” in the claim language that may be confusing with the more descriptive alternative “nucleoside antimetabolite.”

The inventors appreciate these guidelines to amend the claims, and expect to submit the response to the office action accordingly.